

## UTILITIES DIVISION[199]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to Iowa Code sections 17A.4 and 476.2, the Utilities Board (Board) gives notice that on May 19, 2017, the Board issued an order in Docket No. RMU-2017-0002, In re: Rule Making for Renewable Energy Percentage Verification [199 IAC 30], “Order Commencing Rule Making,” proposing to establish rules for renewable energy percentage verification as Chapter 30 of the Board’s rules.

The Board is noticing for public comment on proposed Chapter 30. On March 31, 2017, MidAmerican Energy Company (MidAmerican) filed in Docket No. DRU-2017-0001 with the Board a “Petition for Declaratory Order” requesting that the Board establish an Iowa Renewable Energy Verification (I-REV) program to verify the amount of renewable energy that certain Iowa utilities provide to their retail customers.

The language proposed by the Board would establish an optional verification process for all rate-regulated utilities that file the annual fuel report pursuant to 199 IAC 15.17. The rule outlines the procedures and information needed to receive a verification of a utility’s retail load that was served using renewable generation.

The order approving this Notice of Intended Action can be found on the Board’s Electronic Filing System (EFS) Web site, <http://efs.iowa.gov>, in Docket No. RMU-2017-0002.

Pursuant to Iowa Code section 17A.4(1)“a” and “b,” any interested person may file a written statement of position pertaining to proposed Chapter 30. The statement must be filed on or before July 11, 2017. The statement should be filed electronically through the Board’s EFS. Instructions for making an electronic filing can be found on the EFS Web site at <http://efs.iowa.gov>. Filings shall comply with the format requirements in 199 IAC 2.2(2) and clearly state the author’s name and address and make specific reference to Docket No. RMU-2017-0002. Paper comments may only be filed with approval of the Board.

An opportunity for interested persons to present oral comments on proposed Chapter 30 will be held at 9 a.m. on July 26, 2017, in the Board’s hearing room at 1375 E. Court Avenue, Des Moines, Iowa. Persons with disabilities who require assistive services or devices to observe or participate should contact the Board at (515)725-7300 at least five days in advance of the scheduled date to request that appropriate arrangements be made.

After analysis and review of this rule making, the Board concludes that proposed Chapter 30, if adopted, may have the beneficial effect of encouraging renewable energy development in Iowa.

This amendment is intended to implement Iowa Code chapter 476.

The following amendment is proposed.

Adopt the following new 199—Chapter 30:

### CHAPTER 30 RENEWABLE ENERGY PERCENTAGE VERIFICATION

**199—30.1(476) Renewable energy percentage verification process.** Upon request of a utility which files the annual fuel report identified in 199—paragraph 15.17(5) “a,” the board will verify the percentage of the utility’s retail load that was served using renewable generation during the prior period.

**30.1(1)** The formula for calculating the percentage of renewable energy used to serve retail load in a given calendar year is: renewable energy credits (RECs) generated and retired on behalf of all retail

customers in a calendar year divided by total retail load in that calendar year, both quantified in MWh at the generator level.

**30.1(2)** The electing utility shall file the following information to support the request:

*a.* Evidence of RECs retired on behalf of retail customers. Qualifying renewable energy must be generated by the utility's own facilities or be purchased by the utility from a renewable facility along with the associated RECs in the calendar year. Purchased RECs that are not bundled with the associated energy will not be counted as part of the renewable energy percentage.

*b.* Evidence that the RECs cannot be double counted, i.e., claimed for more than one purpose. REC retirements must be verifiable through the midwest renewable energy tracking system (M-RETS) or similar tracking system.

*c.* An affidavit signed by a corporate officer verifying the accuracy of the renewable percentage claim and the data filed in support of it.

**30.1(3)** The board may evaluate the reasonableness and prudence of the retirement of the renewable energy credits as a part of the verification process, or it may defer the issue to another proceeding.

This rule is intended to implement Iowa Code chapter 476.